

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
ZONING VARIANCE
S/S Manor Hill Road, 82 ft. E of c/l Stevenson Road
3423 Manor Hill Road
3rd Election District
3rd Councilmanic District
Daniel Savanuck, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-49-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Daniel Savanuck and Isabel Savanuck for that property known as 3423 Manor Hill Road in the Dumbarton Heights subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 1 ft. (+/-), in lieu of the required 15 ft., for a garage addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of September, 1993 that the Petition for a Zoning Variance from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 1 ft. (+/-), in lieu of the required 15 ft., for a garage addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

LES:mmn

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 14, 1993

Mr. and Mrs. Daniel Savanuck
3423 Manor Hill Road
Pikesville, Maryland 21208

RE: Petition for Administrative Variance
Case No. 94-49-A
Property: 3423 Manor Hill Road

Dear Mr. and Mrs. Savanuck:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
enc.

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3423 Manor Hill Rd.
which is presently zoned DR-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B (205.3 1955 Zoning Regs) To allow a side yard setback of 1 ft. +/- in lieu of the required 15 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- 1) Request 1 foot side setback to allow 12 foot garage addition.
- 2) Garage needed to assist in egress to and from home due to Physical Disability.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lease
Type or First Name
Signature
Address
City State Zip Code
Attorney for Petitioner
Type or First Name
Signature
Address
City State Zip Code
Name
Address and phone number of representative to be contacted
Name
Address
City State Zip Code

Daniel Savanuck
Isabel Savanuck
3423 Manor Hill Rd., W-486-5625
Pikesville, MD 21208
Phone No. 7-675-4800
Robert Cook
7 Stonewood Ct., 21131, 472-4731

A Public Hearing having been requested and/or held as required, it is ordered by the Zoning Commissioner of Baltimore County, this 14th day of September, 1993, that the subject matter of this petition be set for a public hearing, to be held on the 15th day of September, 1993, at 11:00 AM in the 1st floor of the County Administration Center, Baltimore County, and that the property be posted.

REVIEWED BY: mm DATE: 9/15/93
ESTIMATED POSTING DATE: 9/15/93
Printed with Recycled Ink on Recycled Paper
ITEM # 57

Affidavit in support of 94-49-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
Description: Use this file in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

That the Affiant(s) do(es) presently reside at 3423 Manor Hill Rd.
Pikesville, MD 21208
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance as the above address: (Indicate hardship or practical difficulty)

- 1) Request one foot side setback to allow twelve foot (12') wide garage addition.
- 2) Garage needed to assist in egress to and from home due to Home Owners physical disability.
- 3) Adjoining property is part of beltway land and not otherwise useable.
- 4) Homeowner has maintained adjoining property for 28 years (cutting grass, trimming trees, etc.).

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Daniel Savanuck
Daniel Savanuck
Isabel Savanuck
Type or First Name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 5th day of August, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Maryland, County of Baltimore

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8/5/93
Notary Public
My Commission Expires 9/1/94

#57

EXAMPLE 3 - Zoning Description - 3 copies 94-49-A

Three copies are required. Copies of deeds cannot be used in place of this Description. Use this file in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 3423 MANOR HILL ROAD
(address)
Election District 3 Councilmanic District 8

Beginning at a point on the SOUTH side of
(north, south, east or west)

MANOR HILL ROAD which is 50 FT.
(street on which property fronts) (number of feet of right-of-way width)

wide at a distance of 92 FT. EAST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street STEVENS RD.
(name of street)

which is 30 FT wide. *Being Lot # 1
(number of feet of right-of-way width)

Block I, Section # 2 in the subdivision of
DUMBARTON HEIGHTS as recorded in Baltimore County Plat
(name of subdivision)

Book # GLB 24, Folio # 32, containing
24,314 SF ± 0.65 ACRES
(square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber # , Folio # and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

#57

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 94-49-A Towson, Maryland

District 3rd Date of Posting 8/24/93
Posted for: 94-49-A
Petitioner: Daniel & Isabel Savanuck
Location of property: 3423 Manor Hill Rd., S/S 821 Stevenson Rd.
Location of Sign: Posting See Sign, on property of Petitioner
Remarks:
Posted by: Heather Date of return: 8/25
Number of Signs: 1

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 8/5/93

Savanuck - 3423 Manor Hill Rd.

#101- Variance --- \$50.00

#030- Sign --- \$35.00

#85.00

340311381NICHRC
Please Make Checks Payable To: Baltimore County 21208-05-93

Cashier Validation

111 West Chesapeake Avenue
Towson, MD 21204

August 23, 1993

(410) 887-3353

Mr. and Mrs. Daniel Savanuck
3423 Manor Hill Road
Pikesville, Maryland 21208

RE: Case No. 94-49-A, Item No. 57
Petitioner: Daniel Savanuck, et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Savanuck:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 5, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: August 12, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 40, 41, 45, 53, 54, 55, 56, 57, 59, 61 and 63.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long
Division Chief: Edmund C. Kerns

PK/JL:lw

ZAC, 40/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: August 12, 1993

FROM: Jerry L. Pfeifer, Captain
Investigative Services

SUBJECT: August 23, 1993 - Meeting

- #46 - Proposed building shall comply with the 1991 Life Safety Code.
- #50 - Proposed buildings shall comply with the 1991 Life Safety Code.
- #51 - No comments.
- #52 - No comments.
- #53 - No comments.
- #54 - No comments.
- #55 - No comments.
- #56 - No comments.
- #57 - No comments.
- #59 - No comments.
- #60 - Building shall comply with the 1991 Life Safety Code.
- #61 - Proposed addition shall comply with the 1991 Life Safety Code.
- #63 - No comments.

JLP/d:1
cc: file

RECEIVED
AUG 18 1993
ZADM

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 11, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Daniel and Isabel Samanek
3423 Manor Hill Road
Pikesville, Maryland 21208

Re: CASE NUMBER: 94-49-A (Item 57)
3423 Manor Hill Road,
S/8 Manor Hill Road, 82' E of c/l Stevenson Road
3rd Election District - 3rd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case, should reference the case number and be directed to 887-3353. This notice also serves as a reminder regarding the administrative process.

1) Your property will be posted on or before August 22, 1993. The closing date (September 7, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Jablon
Arnold Jablon
Director

cc: Robert Cook

Printed on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Carl Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 57

Petitioner: Daniel Samanek

Location: 3423 Manor Hill Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Daniel Samanek

ADDRESS: 3423 Manor Hill Road

Pikesville, MD 21208

PHONE NUMBER: 410-5625

AJ:ggg

(Revised 04/09/93)

Printed on Recycled Paper

To H.O.
Although the property abuts the Beltway
property it was not considered a
corner lot at the time of recordation.

#57

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3423 MANOR HILL ROAD see pages 6 & 8 of the CHECKLIST for additional required information

Subdivision name: DUMBARTON HEIGHTS

Plot books: 24 folios: 32 map: 1 section: 2

OWNER: DANIEL F. SAMANEK AND ISABEL SAMANEK, wife

MANOR HILL ROAD 94-49-A

STEVENSON ROAD

COUNTY BELTWAY PROP.

LOT 1

LOT 2

Scale of Drawing: 1"=50'

North arrow

date: 8/11/93
prepared by: R.G.K.

Subject Map

Locality Map
Scale: 1"=1000'

LOCATION INFORMATION

Section District: 3

Councilmanic District: 83rd

1"=200' scale map: NW 9E

Zoning: DR 2

Lot area: 16546 square feet

SEWER: ☒ ☐

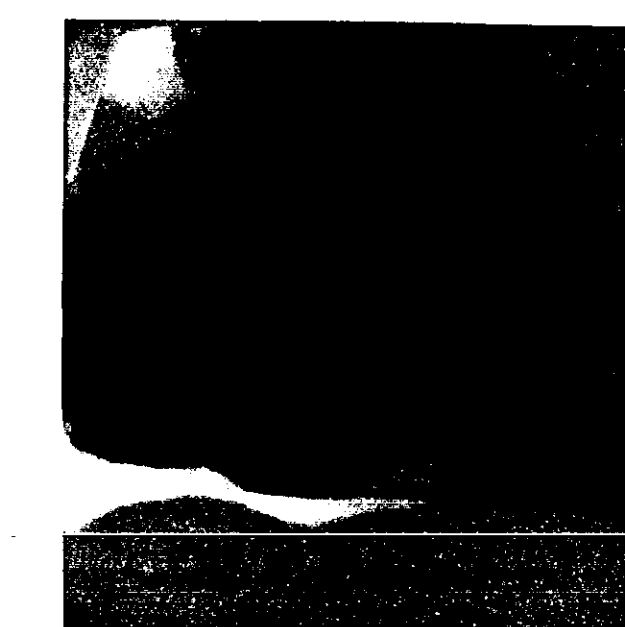
WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: NONE

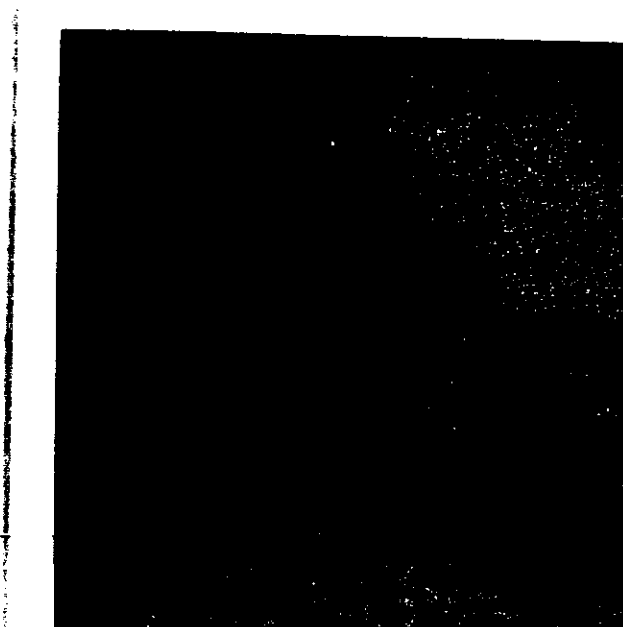
Zoning Office USE ONLY

reviewed by: JF ITEM #: 57 CASE#:



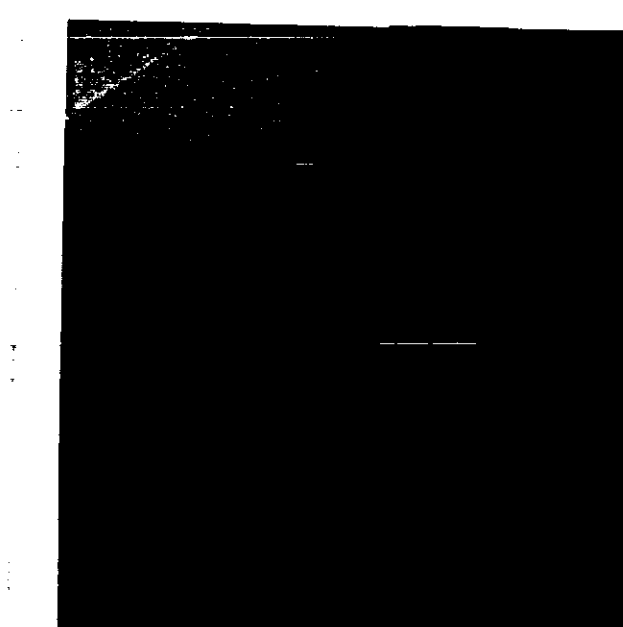
#57

SAMANAK - 3423 MANOR HILL



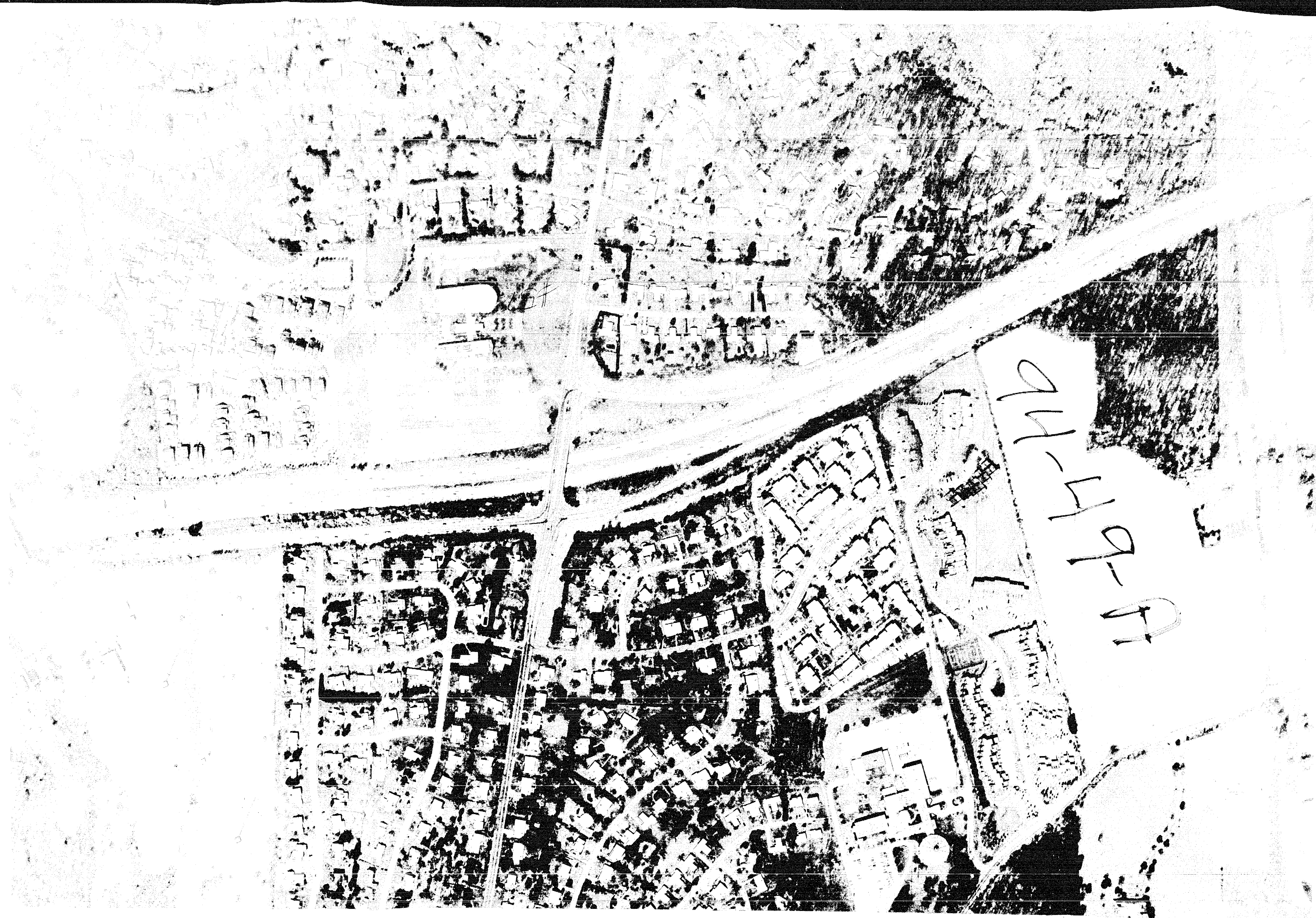
#157

SAMANAK - 3423 MANOR HILL



#57

SAMANAK - 3423 MANOR HILL



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION Summer 3423 Annapolis Rd. DUMBARTON	SHEET NW 9-E
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